

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$9,200 IN UNITED STATES CURRENCY,

Defendant.

Case No. 23-00359-CV-W-

**GOVERNMENT’S MOTION TO EXTEND TIME TO
INITIATE JUDICIAL FORFEITURE**

The United States, by the United States Attorney for the Western District of Missouri, as authorized by 18 U.S.C. § 983(a)(3)(A), moves the Court for good cause to extend the time in which the United States is required to file a complaint for forfeiture from May 31, 2023, to June 14, 2023, regarding property to which a claim has been filed by Francis Chenyi (“Claimant”) in a nonjudicial administrative forfeiture proceeding with the Federal Bureau of Investigation (“FBI”). The property is described as follows:

\$9,200 in United States Currency

On November 28, 2022, FBI agents seized \$9,200 from Claimant’s residence. FBI timely distributed written notice of intent to forfeit the property, as required by 18 U.S.C. § 983(a)(1)(A). On March 2, 2023, Claimant timely filed a claim to the property with FBI. The period for any other person to file a claim to the property under 18 U.S.C. § 983(a)(2)(A)-(E) has now expired. Pursuant to 19 U.S.C. §§ 1608 and 1610, upon the filing of the claim by Claimant, FBI transmitted the claim to the United States Attorney for the purpose of initiating a judicial forfeiture action against the property. The 90-day deadline for the government to file a complaint for forfeiture against the property is May 31, 2023. As provided in 18 U.S.C. § 983(a)(3)(A), the 90-day period for filing

the complaint may be extended by the Court “for good cause shown or upon agreement of the parties.”

The United States asserts that there is good cause for a short, two-week extension to the filing deadline, to June 14, 2023, based on the following. The FBI seized the currency from Mr. Chenyi’s residence in Minneapolis proximately to other pieces of evidence. The currency was subsequently transferred to the custody of the United States Marshals Service and the related physical evidence was ultimately transferred to the FBI’s Kansas City Field Office. The undersigned worked diligently to track the location of the related physical evidence and arrange a time to conduct an in-person inspection, which occurred on May 26, 2023. A short extension until June 14, 2023, is requested in order to provide sufficient opportunity to evaluate the government’s interest in and position regarding the property. The undersigned has consulted with Claimant’s counsel in the related pending criminal matter, *United States v. Claude N. Chi, et al.*, No. 22-00261- CR-RK. Because Claimant’s counsel has not been appointed to represent Claimant in civil forfeiture proceedings, counsel could not provide consent to the government’s requested extension.

For the foregoing good cause, the United States respectfully requests that the Court extend the period in which the United States is required to file a complaint against the property until **June 14, 2023**.

Dated: May 30, 2023

Respectfully submitted,

Teresa A. Moore
United States Attorney

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